ZB# 84-17

Occupations, Inc.

9-1-37.1

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3/2/8/83. Motion to wave.

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Public Hearing:
Sept. 10, 1984

All sen warred.

motion pas made is 3.

P. H. No. M. reth

NEW WINDSOR	ZONING BOARD OF APPEALS		, ,	
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In the Matte	r of the Application of ONS, INC.	DECISION VARIANCE	GRANTING	AREA
# <u>84-17</u> .	x			·
	WHEREAS, OCCUPATIONS, INC. of	Rt. 32 W	indsor Hi	ghway,
New Windsor	, N. Y. (PI zone) , has made ap	plication	before th	ne
Zoning Board	l of Appeals for <u>an area</u> variance for t	he purpose	es of:	
placing a 9 above and	ft. fence (including 3-strand barbed w	vire) on re	ear of pr	oper‡y
	WHEREAS, a public hearing was held on	the 10th	day of	
September	, 1984 before the Zoning Board of App	eals at th	he Town H	all,
New Windsor	, New York; and		•	
<u> Haakmeester</u>	WHEREAS, the applicant appeared by i	its agent . ; and	,	· 2 ·
	WHEREAS, the application was unoppose	ed; and		
	WHEREAS, the Zoning Board of Appeals of	of the Tow	n of New	
Windsor make	es the following findings of fact in th	nis matter	:	
	1. The notice of public hearing was o	duly sent	to reside	nts
and busines	ses as prescribed by law and published	in The Se	ntinel, a	lso
as required	by law.			-
	2. The evidence shows: that the rea	r portion	of applic	ant's
New Windsor	property is used for the parking of b	uses which	are util	ized
by applican	nt's clients;			
	3. The evidence shows that the buse	s have bee	en vandali	zed
many times	in the past and applicant desires to f	ence the r	ear porti	on
of the prop	perty in order to protect the buses from	m further	vandalism	n.
II .		,		

1 1 Hd.:

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WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

- 1. The evidence shows that the applicant will encounter practical difficulty if the area variance requested is not granted.
- 2. The proposed variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of

New Windsor grants an area variance to allow a 9 ft. fence

dated 6/1/84
in accordance with plans/submitted at the public hearing.

BE IT FURTHER,

RESOLVED that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: <u>October 22, 198</u>4.

Chairman

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

Date: Phone # 914-692-4454 I. ✓ Applicant Information: Occupations Inc-Fortune Road West Milletown, My (Name, address and phone of Applicant) (Owner) (b) (Name, address and phone of purchaser or lessee) (c) (Name, address and phone of attorney) (d) (Name, address and phone of broker) Application type: Use Variance Sign Variance X Area Variance Special Permit III. Property Information: (a) 67 Windsor Hwy, Route 32 (Zone) (Address) What other zones lie within 500 ft.? (b) Is a pending sale or lease subject to ZBA approval of this application? no When was property purchased by present owner? 1972
Has property been subdivided previously? no When?
Has property been subject of variance or special permit (d) (e) (f) previously? When? no · Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? no Is there any outside storage at the property now or is any (h) proposed? Describe in detail: N/A IV. Use Variance: Use Variance requested from New Windsor Zoning Local Law, , Table of Regs., Col. , to allow: (Describe proposal)

(a) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application. V. Area variance: (a) Area variance requested from New Windsor Zoning Local Law, Section \(\frac{\emptyreq}{\emptyreq} \) Froposed or Variance Requirements Available Request Min. Lot Area Min. Lot Width Rend. Front Yd. Rend. Side Yd. \(\frac{\emptyreq}{\emptyreq} \) Red. Reqd. Rear Yd. Rend. Street Frontage* Max. Bldg. Ngt. Min. Floor Area Max. Bldg. Ngt. Min. Floor Area Max. Bldg. Ngt. Min. Floor Area Dev. Coverage* Y Floor Area Ratio** ** Residential Districts only ** Non-residential districts only (b) The legal standard for an "AREA" variance is gractical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application. A 6 ft. fence is needed for security purposes since our buses will be parked outside the building. We have had problems with vandalism in the past and the amount of repair work to our buses has been considerable. VI. Sign Variance: (a) Variance: Requirements Requi			
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Total sq.ft. sq.ft. sq.ft.		will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application. A 6 ft. fence is needed for security purposes since our buses will be parked outside the building. We have had problems with vandalism in the past and the amount of repair work to our buses has been considerable. A Variance: (a) Variance requested from New Windsor Zoning Local Law, Section, Table of Regs., Col Proposed or Variance Request Sign 1 Sign 2 Sign 3 Sign 4	
Totalsq.ftsq.ftsq.ft.		will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application. A 6 ft. fence is needed for security purposes since our buses will be parked outside the building. We have had problems with vandalism in the past and the amount of repair work to our buses has been considerable. A Variance: (a) Variance requested from New Windsor Zoning Local Law, Section, Table of Regs., Col Proposed or Variance Request Sign 1 Sign 2 Sign 3 Sign 4	
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	(b)	Describe in detail the sign(s) for which you seek a
	(0)	variance, and set forth your reasons for requiring
		extra or oversize signs.
		CACIA OI OVEISIZE SIGNS.
	* **	
•		
	(c)	What is total area in square feet of all signs on premises
e de la companya de l		including signs on windows, face of building, and free-
		standing signs?
•		
		•
	: <	
VII.	Spec	lal Permit:
	(a)	Special Permit requested under New Windsor Zoning Local
		Law, Section , Table of Regs., Col
	. ,	
- · · · · · · · · · · · · · · · · · · ·	(b)	Describe in detail the use and structures proposed for
		the special permit.
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•		
VIII.		cional comments:
	(a)	Describe any conditions or safeguards you offer to ensure
		that the quality of the zone and neighboring zones is
		maintained or upgraded and that the intent and spirit of
		the New Windsor Zoning Local Law is fostered. (Trees,
•	•	landscaping, curbs, lighting, paving, fencing, screening,
.*		sign limitations, utilities, drainage.)
•		
4		
•		
•		
•	•	
IX.	Attac	chments required:
	,	Copy of letter of referral from Bldg./Zoning Inspector.
		Copy of tax map showing adjacent properties.
		Copy of contract of sale, lease or franchise agreement.
	•	Copy(ies) of site plan or survey showing the size and
		location of the lot, the location of all buildings,
		facilities, utilities, access drives, parking areas,
•		trees, landscaping, fencing, screening, signs, curbs,
i i		paving and streets within 200 ft. of the lot.
•		Copy(ies) of sign(s) with dimensions.
		Check in the amount of \$ 56 payable to TOWN OF
	*.	
		NEW WINDSOR.
		NEW WINDSOR.

STATE OF NEW YORK)

COUNTY OF ORANGE

Date Nua us	+ 17, 198°	<u> </u>
σ		
nt, being duly	sworn, de	eposes
atements and re	presenta	tions
rue and accurat	e to the	best of
information an	d belief	. The
aroog that the	Zonina P	oord

The undersigned Applica and states that the information, st contained in this application are t his knowledge or to the best of his applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

,			. , .	Phil (App)	Joshnes icant)	<u> </u>	
Sworn	to	before me this	•	•	tri. T		. . .
		, , , , , , , , , , , , , , , , , , ,	<u>-,</u> 19 <u>84</u> .	W.	MA Notary Public Qualifi	RGERY DEMB ;, State of Ni ed in Orange xpirea Mar. 30,	ew York County
XI.	ZBA	Action:		•	202111111111111111111111111111111111111		0-0-
	(a)	Public Hearing	date		•		• . •
*	(b)	Variance is	· · · · · · · · · · · · · · · · · · ·		•		,
. •		Special Permit	is			•	
	(c)	Conditions and	safeguard	ls:			
			•			·	
	. :						

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS

Memo FROM: ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12550

TO:

TOWN PLANNING BOARD BUILDING/ZONING OFFICER

DATE: 9/11/84

SUBJECT: PUBLIC HEARINGS BEFORE ZBA - (1) OCCUPATIONS, INC.

--FOLD HERE---

COOMBS, CHARLES (2)

Please be advised that the following actions were taken by the Zoning Board of Appeals on September 10, 1984:

(1) QCCUPATIONS, INC. - Granted

(2) COOMBS, CHARLES - Denied

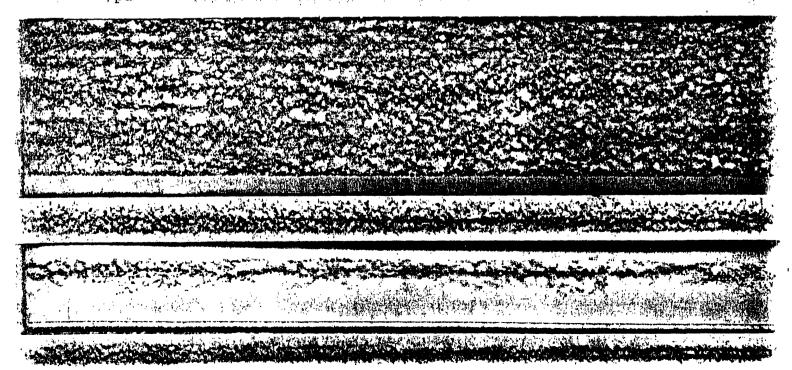
cc: Occupations, Inc.

Attn: Phil Haakmeester

Elias D. Grevas, L.S.

(Coombs)

/pd



Memo FROM: ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12550.

TO:

TOWN PLANNING BOARD BUILDING/ZONING OFFICER

DATE: 9/11/94

SUBJECT: PUBLIC HEARINGS BEFORE ZBA -(1) OCCUPATIONS, INC.

--FOLD HERE-

COOMBS, CHARLES

Please be advised that the following actions were taken by the Zoning Board of Appeals on September 10, 1984:

- OCCUPATIONS, INC. Granted (1)
- (2) COOMBS, CHARLES - Debied

Occupations, Inc. CC:

Attn: Phil Haakmeester

Elias D. Grevas, L.S.

(Coombs)

/pd



Louis Heimbach County Executive

Department of Planning & Development

124 Main Street Goshen, New York 10924 (914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner
Paul Costanzo, Director of Community Development

September 4, 1984

Mr. Daniel Konkol, Chairperson Town of New Windsor Zoning Board of Appeals 555 Union Avenue New Windsor, New York 12550

Re: Application of Occupations, Inc. for Area Variance to Construction Eight Foot Perimeter Security Fence, N.Y.S. Route 32 Our File No. NWT 8-84M

Dear Mr. Konkol:

The above referenced Application has been referred to us for consideration pursuant to the applicable provisions of Article 12-B, Section 239, Paragraphs 1 and m of the General Municipal Law of the State of New York.

Given that there are no apparent serious inter-agency issues requiring resolution Orange County Department of Planning and Development approval is hereby granted without conditions.

I have conveyed my first impressions of the unkept condition of the grounds to the applicant. He was most appreciative of my criticism and has promised to take corrective measures.

Sincerely,

Peter Garrison

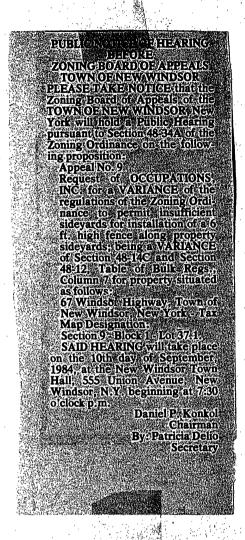
Commissioner of Planning &

Development

RECEIVED ATTORNEY'S OFFICE TOWN OF NEW WINDSOR

SEP 6 1984

BY: Daticia Delia



State of New York
County of Orange, ss:

disposes and says that he is

Publisher of the E.W. Smith

Publishing Company, Inc. publisher

of The Sentinel, a weekly newspaper

published and of general circulation

in the Town of New Windsor, and that

the notice of which the annexed is

a true copy was published ONCA

in said newspaper, commencing on the 30th day of August A.D., 1984 and ending on the 30th day of August

A.D. 1984

susstribed and shown to before me

this 10th day of Co

of the State of New York

County of Orange.

My commission expires March 30, 1985.



TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK



August 15, 1984

Mr. Philip Haakmeester Occupations Inc. Fortune Road West Middletown, N.Y.

RE: 9-1-37.1

Dear Mr. Haakmeester:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

Very truly yours,

CHRISTIAN E. JAHRLING

Vistaire Efaluling

SOLE ASSESSOR

Town of New Windsor



TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK

DeVitt John L & James E c/o DeVitts Agway 59 Windsor Highway New Windsor NY 12550

Adams Harold J & Veronica c/o Frye Copy Systems 71 Windsor Highway New Windsor NY 12550

Brown Carson Company c/o PDQ Continuous Forms Inc 73 Windsor Highway New Windsor NY 12550

Consolidated Rail Corp Property Tax Dept PO Box 8499 Philadelphia Pa 19101

Olympia Peter M 16 Russell Rd Newburgh NY 12550

Van Leeuwen Henry P & Louis G 70 Windsor Highway New Windsor NY 12550

Monti Frank & Joseph Jr 54 Windsor Highway New Windsor NY 12550

Route 32 Corp 70 Windsor Highway New Windsor NY 12550

Cleeg John W & Helen & Mark 130 Lander Street Newburgh NY 12550 Torry Fulton B & Anna G 76 Windsor Highway New Windsor NY 12550

Vandermark John P & Donna 78 Windsor Highway New Windsor NY 12550

Frost Werner H & Shirley J 86 Windsor Highway New Windsor NY 12550

Gableman Andrew R & Getrude 90 Windsor Highway New Windsor NY 12550

Gutta Charles H & Barbara 90 Windsor Highway New Windsor NY 12550 Memo FROM:

ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12550

TO:

TOWN PLANNING BOARD BUILDING/ZONING OFFICER

DATE: 9/4/84

SUBJECT: PUBLIC HEARINGS BEFORE ZBA - 9/10/84

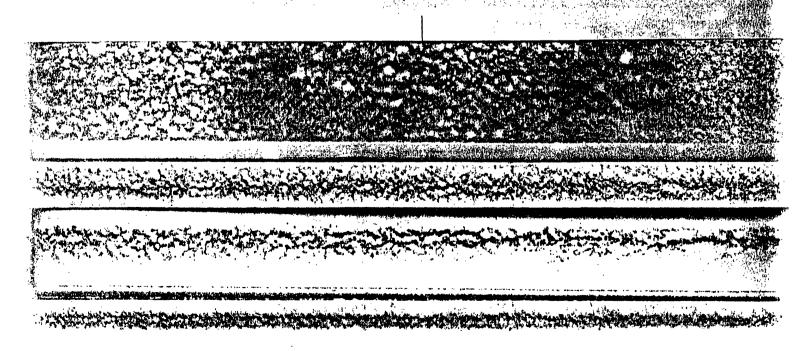
--FOLD HERE--

Please be advised that there are two (2) public hearings scheduled to be heard before the ZBA on Monday evening, September 10, 1984:

OCCUPATIONS, INC. COOMBS, CHARLES

I have attached hereto copy of pertinent applications together with public hearing notices which appeared in The Sentinel.

/pd Attachments



PUBLIC NOTICE OF HEARING BEFORE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Ordinance on the following proposition:

	Appeal No. 9	
	Request of OCCUPATIONS, INC.	
	for a VARIANCE SPECTMY PERMIT of	
	the regulations of the Zoning Ordinance to	
	permit insufficient sideyards for installation	
,	of a 6 ft. high fence along property sideyards;	
r o	being a VARIANCE XXPEXIMIX PERMIX of	
i se se i co	Section 48-14C and Section 48-12, Table of Bulk Reg Column 7	s.
	for property situated as follows:	
	67 Windsor Highway, Town of New Windsor,	
· Significan	New York - Tax Map Designation:	
	Section 9 - Block 1 - Lot 37.1.	٠.
•	HEARING will take place on the 10th day of	
Sept	ember , 1984, at the New Windsor Town Hall,	
555 t	Union Avenue, New Windsor, N. Y. beginning at	•
7:30	o'clock P. M.	

DANIEL P. KONKOL Chairman



TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK (914) 565-8550

August 21, 1984

1763

Mr. Philip Haakmeester, Business Manager OCCUPATIONS, INC. Fortune Road West Middletown, NY 10940

RE: APPLICATION FOR AREA VARIANCE #84-9

Dear Mr. Haakmeester:

I am returning your above application for area variance and public hearing notice due to the fact that there is insufficient information thereon.

I have checked the places where information is required and have added the Sections applicable.

I am also returning herewith your check in the amount of \$50.00. The fees have been waived by the Zoning Board of Appeals.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

PATRICIA DELIO, Secretary Zoning Board of Appeals

/pd Enclosures

P.S. I would suggest that you forward an amended application to the Orange County Planning & Economic Development since they are not aware of what you are applying for.



Orange County Rehabilitation Center Occupations, Inc.

George L. Kraft, Executive Director

Stephen Kent, President Derek Bloomfield, 1st Vice President John Gebhards, 2nd Vice President James Sturr, Sr., Treasurer Ruth Rosen, Secretary

Amy Bull Crist, President Emeritus

August 17, 1984

Please Reply To:

KI Fortune Road West Middletown, NY 10940 914-692-4454

☐ 67 Windsor Highway New Windsor, NY 12550 914-562-6850

RECEIVED
AUTORNEY'S OFFICE
TOWN OF NEW WINDSOR

AUG 21 1984

Ms. Patricia Delio, Secretary New Windsor Zoning Board of Appeals 555 Union Avenue - Town Hall New Windsor, New York 12550

Dear Ms. Delio:

I have completed as best I can the public notice of hearing and application for variance or special permit. I anticipate having materials and everything ready for a public hearing on September 10.

I have enclosed a check in the amount of \$50, several copies of the application and site plans. I have been in contact, already, with the Assessor's Office and they are preparing a list of property owners within 500 feet.

I understand you will forward public hearing notice to the Sentinel. I have forwarded an application and plans to the Orange County Department of Planning for their review.

If you should have any questions or need any further information, please do not hesitate to contact me.

Sincerely,

Philip Haakmeester Business Manager

PH/ab cc: Pat Kennedy Enc.



Orange County Rehabilitation Center Occupations, Inc.

George L. Kraft, Executive Director

Stephen Kent, President
Derek Bloomfield, 1st Vice President
John Gebhards, 2nd Vice President
James Sturr, Sr., Treasurer
Ruth Rosen, Secretary

Amy Bull Crist, President Emeritus

Please Reply To:

☐ Fortune Road West Middletown, NY 10940 914-692-4454

☐ 67 Windsor Highway New Windsor, NY 12550 914-562-6850

Memo

To: PAT Delio

8-17-84

From: Philip HANkmeester

Please Note Application - Not Complete, of
Spoke with Bldg. Frequency office - Info can be
Supplied as to Section of Zaning law impirated
by Application

Also Is This area Verricince? - OR USE Variance
In either CASE - The proposed Fonce in question
Will pose No hondohip due to nature of Existing
Zone Laws. The additional hought will deter individuals
from entering our proposty - e.g buses. - The Fince
will not have any Vishal Tompact on hajands
to other purposty owness.

BAN

TOWN OF NEW WINDSOR ORANGE COUNTY, N. Y. OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.	•	Date Februa	r.c.f. 151983
To Occupations.	Inc		
New Yndsor,		,	
PLEASE TAKE NOTICE	that your application dat	ted February D	3 19. C
for permit to	Chain Link F	ence on prop	erty line
at the premises located at	te 32	•••••	
			`
is returned herewith and disapp	the state of the s	4 T T T T T T T T T T T T T T T T T T T	
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